S.B. CIVIL WRIT PETITION NO. 5707/2006.

(DARIYAV & ORS. VS. STATE & ORS.)

DATE OF ORDER : 08.08.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. Sudheer Sharma for the petitioners.

By this petition for writ, a challenge is given to validity, propriety and correctness of the order dated 02.06.2006 passed by the Board of Revenue rejecting the appeal preferred by the petitioners under Section 224 of the Rajasthan Tenancy Act, 1955.

The contention of counsel for the petitioners is that the courts below including the Board of Revenue failed to appreciate that Mst. Soni was having no authority in capacity of natural guardian to sale the land that was in name of the minors.

I do not find any substance in the contention so raised. It is well settled that a sale of property by natural guardian of the minors is voidable and not void. In the instant matter, the minors after acquiring majority never raise any objection regarding the sale of their property by Mst. Soni.

No other contention is raised to challenge the orders impugned.

The orders passed by learned Board of Revenue and also by the courts subordinate to the Board of Revenue do not suffer from any error that may warrant interference of this Court under Article 226 and 227 of the Constitution of India.

(GOVIND MATHUR)J.

Anil/